



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND
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SIN 11 i A-97-107
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From: **Commander, Naval Facilities Engineering Command**

Subj: **BEST PRACTICES #I-B? CONTRACTOR PERFORMANCE SAFETY AND HEALTH**

Ret. (a) MSG. NAVFAC-09, DTG **160853Z APR 97**
(b) COMNAVFACENGCOM Ltr Ser 11197407 of 20 May 97
(c) FY 1889-2003 Defense Planning Guidance

1. Reference(a) described several MILCON/BRACON fatal **accidents in** FY97 and **asked the** EFDs and PWCs to continue to 'do **all we can** to provide quality **service in a safe manner.**' Ref (b) provided guidance on simplifying the Source Selection Procedure, use of Past Performance in source selections, and maintaining past performance databases. Ref (c) requires 'a near term goal of zero **Class A accidents.**'

2. The Navy **has** experienced many fatal and serious contractor accidents over the past several years. According to the Associated General Contractors, Construction Industry Institute and the National Safety Council, we **only** need to hire safer contractors to solve this **problem.** **Experience** indicates that safe contractors also provide quality products and services. Delivering the best value to O&W customers remains our primary goal. Safety and **health** may be considered as an element of responsibility. The contracting officer may consider a finding of non-responsibility when **a contractor has received a willful OSHA citation** and has not implemented corrective action. Also, the contractor's past safety and health performance may be **considered a subfactor of past performance**


3. Information on past safety and health performance may be obtained and be included as an element or **subfactor** of Past Performance Evaluation. In the Pre-Award information Section, **each** offeror may be **requested to** furnish the following safety and health program information:

- a. Occupational Safety and Health Act (OSHA) incidence rate for last five years.
- b. OSHA severity rate for the last five years.
- c. Experience Modification Rate (EMR) for the state in which the work is to be accomplished, for the current year, **plus** last five years.
- d. Federal, State and Municipal 'OSHA-type' Citation for last five years.
- e. **Occupational safety and health quality control program,**

4. If a selected contractor (at any tier) has an EMR greater than 1.2 (20% Insurance premium) and/or an incident rate higher than 5.0 (5 lost time accidents per 200,000 hours worked), the Contracting Officer should consider a special meeting, prior to any work performance, to have the contractor explain how they intend to maintain an accident free worksite. A full time safety technician or 3rd party safety monitor may be needed.

Subj: BEST PRACTICES X1-07: CONTRACTOR PERFORMANCE SAFETY AND HEALTH

5. Contact Craig Schlider, FAC-SF, 7034254435 or Joyce Runyan, FAG-ACQ, 703-325-9019 or Miguel Lopez, FAC-ACQ, 703325-9015 for assistance.



MICHAEL HOWARD
By direction

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